

REMARKS

The Office Action mailed December 19, 2003 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-36 were pending in the application. Claims 1, 4, 10, 11, 14-18, 21, 24, 26-29, and 33 have been amended, claims 2, 3, 12, 13, 19, and 20 have been canceled and no claims have been newly added. Therefore, claims 1, 4-11, 14-18, and 21-36 are pending in the application and are submitted for reconsideration.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

In the Office Action, claims 1-36 were rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,081,262 issued to Gill et al. ("Gill"). Applicant respectfully traverses this rejection for at least the following reasons.

The claimed invention solves the problem of having a user manually generate a sequence of commands for controlling a graphics engines to generate an on-air graphic scene or broadcast frame in a television broadcast system.

To solve this problem in the prior art, the claimed invention provides a method (and system/software) that automatically generates a sequence of commands for creating graphic scenes in a television broadcast system. To achieve this automated generation of a sequence of commands, the pending independent claims recite (*inter alia*):

- a) a template data element for representing a television broadcast frame, the template data element including a graphics component and a data field component suitable for receiving an information unit;
- b) processing the template data element and an information unit source to enter in the data field component a selected information unit to form a representation of a television broadcast frame that results from a combination of the template data element and the selected information unit;

c) associating the components in the representation of the television broadcast frame to commands from the graphics engine command set, to generate the sequence of commands; and

d) outputting the sequence of commands to the graphics engine, said graphics engine being responsive to the sequence of commands to generate the television broadcast frame.

These recited features are not disclosed or suggested by the applied prior art.

Specifically, Gill describes a multimedia presentation system, known commercially as the QuarkImmedia product. The Gill system includes two components, a multimedia project and a viewer. The system is based on the page based document layout of the QuarkExpress system (col. 3, line 36) with the addition of a multi-media authoring tool to extend the capabilities of the QuarkExpress page based document layout system. The authoring tool enables an author to merge both static and dynamic objects in the familiar Quarkexpress page based layout environment to create the multimedia presentation (col. 3, line 56-65). Therefore, are several differences between the claimed invention recited in the pending independent claims and the disclosure of Gill.

First, the page based layout of Gill cannot be characterised a layout of a television broadcast frame as recited in the pending independent claims.

Furthermore, in Gill, the presentation is then exported as a run-time display which is a **non editable object** (col. 17, lines 10-12) and must be viewed by a viewer V process. Specifically, Gill teaches that the presentations must be “retrieved from [the] presentation files and transmitted to the display device.... a viewer process V is either available to the user separate from accessing of the presentation or it is embedded in the presentation or downloaded concurrently therewith.” (col 18, line 1-6). In fact, all pages of the presentation are rasterized, thus each page is essentially a graphic as described by Gill (col.13, lines 38-43). The multi-media authoring tool A automatically rasterizes the composite static element of the multi-media presentation page to create a bit mapped display. The multi-media authoring tool A separately rasterizes each of the dynamic images.

Therefore, a *second* difference is that pending claims recite a graphics engine that generates the television broadcast frames from a sequence of commands. Therefore, the

claimed invention does not require rasterization of the graphics pages before transmission to the graphic engine, since the graphic engine produces displayable television broadcast frames from a sequence of commands that are automatically generated by the claimed invention. In sharp contrast to the claimed invention, Gill's viewer receives rasterised data which is then presented on a display.

Furthermore, the multi-media authoring tool A of Gill automatically creates different representations for exporting multi-media presentations that are created by the author as a function of the characteristics of the destination storage/presentation medium. These exported multi-media presentations are non-editable files, which are used by the user activating a viewer V to manage and view the multi-media presentation.

Based on the above discussion, it is very clear that Gill cannot be characterised as transmitting a sequence of commands to a graphics engine. In fact, Gill exports a non-editable file that clearly does not correspond to the claimed generation of a sequence of commands as recited in the pending claims. By transmitting a sequence of commands the claimed invention achieves an advantage of being able to update the graphics engine with new data for real time generation of television broadcast frame (i.e. real-time rasterization). Furthermore, Gill requires a specific viewer process in order to view or interact with the presentation, clearly such a viewer process would be impractical if not unusable in a television production and broadcast environment.

Therefore, several specific features recited in the pending independent claims are not disclosed or suggested by Gill. Furthermore, the advantages of the claimed invention are also not achievable by Gill. Accordingly, the pending independent claims are patentable over the disclosure of Gill.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite features that are also patentable when considered as a whole.

In view of the foregoing amendments and remarks, applicant respectfully submits that the application is now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is invited to contact the undersigned attorney at the local telephone number below.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.

Respectfully submitted,

Date June 21, 2004 (Monday)

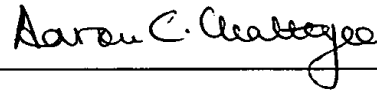
FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5416

Facsimile: (202) 672-5399

By



Brian J. McNamara

Registration No. 32,789

Aaron C. Chatterjee

Registration No. 41, 398

Attorneys for Applicant